रजिस्ट्री सं० डी० 221 REGISTERED No. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उपखण्ड (ii)
PART II—Section 3—Sub-section (ii)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 295] नई दिल्ली, सोमवार, अगस्त 26, 1968/भाद्र 4, 1890
No. 295] NEW DELHI, MONDAY, AUGUST 26, 1968/BHADRA 4, 1890

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Chemicals)

ORDER

New Delhi, the 26th August 1968

S.O. 2886.—In exercise of the powers conferred by sub-section (1), read with clauses (c) and (e) of sub-section (2), of section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following amendment to the Drugs Prices (Display and Control) Order, 1966, namely:—

1. (1) This Order may be called the Drugs Prices (Display and Control) Amendment Order, 1968.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Drugs Prices (Display and Control) Order,—

(1) for clause (b) of paragraph 2, the following clauses shall be substituted, namely:—

(b) "drug" shall have the meaning assigned to it in clause (b) of Section 3 of the Drugs and Cosmetics Act, 1940 (23 of 1940), but shall not include—

(i) all medicines included in the Ayurvedic, Unani and Siddha systems; and

(ii) such substances intended to affect the structure or any function of the human body as may, from time to time, be specified by the Central Government by notification in the Official Gazette;";

(2) for sub-paragraph (3) of paragraph 6B, the following sub-paragraphs shall be substituted, namely :—

"(3) The manufacturer, importer or distributor of a new drug may, before introducing such new drug for sale, or including the price of such new drug in his price list in pursuance of sub-paragraph (1), apply to the Central Government for a decision as to whether the drug constitutes a new drug within the meaning of the said sub-paragraph.

(4) Where an application is received under sub-paragraph (3), the Central Government shall within a period of forty-five days of the receipt of the said application, by order, inform the applicant of its decision as to whether or not the drug constitutes a new drug as aforesaid and such decision shall be final.

(5) The manufacturer, importer or distributor of such new drug may,—

(a) on receipt of the Order of the Central Government that the drug constitutes a new drug; or

(b) where no such Order is received from the Central Government, after the expiry of the period of forty-five days, referred to in sub-paragraph (4),

follow the procedure laid down in sub-paragraph (1) for introducing the new drug for sale or including the price of such new drug in his price list and the provisions of sub-paragraph (2) shall, in so far as they relate to the fixation of price, apply to the said new drug.";

(3) after paragraph 6B, the following paragraph shall be inserted, namely:—

"6C. *Special provision for fixation or revision of whole-sale and retail price in the case of drug without a specific brand name.*—Notwithstanding anything contained in paragraph 3 and 6, any manufacturer, importer or distributor may either revise the whole-sale price and the retail price of a drug shown in the price list or fix the whole-sale price and retail price of a new drug without the prior approval of the Central Government provided such a drug is without a specific brand name and is exclusively sold under the name given to it in the latest editions of any of the following publications, namely :—

1. The Indian Pharmacopoeia.
2. The British Pharmacopoeia.
3. The British Pharmaceutical Codex.
4. The United States Pharmacopoeia.
5. The State Pharmacopoeia of the U.S.S.R.
6. The National Formulary of the U.S.A.
7. The National Formulary of India.
8. The Homoeopathic Pharmacopeias of U.K., U.S.A. and Germany."

[No. 17(2)/68-CH.III.]

M. RAMAKRISHNAYYA, Jt. Secy.

PRINTED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1968